

Executive Summary – Enforcement Matter – Case No. 51417
Targa Midstream Services LLC
RN100238716
Docket No. 2015-1568-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Chico Gas Plant, 383 County Road 1745, Chico, Wise County

Type of Operation:

Oil and gas plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 19, 2016

Comments Received: No

Penalty Information

Total Penalty Assessed: \$8,990

Amount Deferred for Expedited Settlement: \$1,798

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$7,192

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 17, 2015

Date(s) of NOE(s): September 22, 2015

Executive Summary – Enforcement Matter – Case No. 51417
Targa Midstream Services LLC
RN100238716
Docket No. 2015-1568-AIR-E

Violation Information

1. Failed to submit an initial notification for a reportable emissions event within 24 hours of the discovery. Specifically, Incident No. 215791 occurred on November 17, 2014, but was not reported until June 15, 2015 [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit (“FOP”) No. O3181, Special Terms and Conditions (“STC”) No. 2.F].
2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 13,736.99 pounds of volatile organic compounds from Fugitives Emission Point Number FUG-2 during an emissions event (Incident No. 215791) that began on November 17, 2014 and lasted 44 minutes. The emissions event occurred when cold weather caused a hydrate in the system resulting in an increase in operating pressure. Since the emissions event was not timely reported, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 3181, STC No. 12, and New Source Review Permit No. 84108, Special Conditions No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
 - i. Implement procedures to ensure the timely submittal of initial notifications for emissions events; and
 - ii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 215791.
- b. Within 45 days, submit written certification to demonstrate compliance with a.

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Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Eduardo Heras, Enforcement Division,
Enforcement Team 5, MC 149, (512) 239-2422; Melissa Cordell, Enforcement Division,
MC 219, (512) 239-2483
TCEQ SEP Coordinator: N/A
Respondent: Francis Foret, Senior Vice President Operations, Targa Midstream
Services LLC, 1000 Louisiana Street, Suite 4300, Houston, Texas 77002
Shane Tribe, Senior Environmental Specialist, Targa Midstream Services LLC, 383
County Road 1745, Chico, Texas 76431
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	21-Sep-2015	Screening	15-Oct-2015	EPA Due	
	PCW	16-Oct-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	Targa Midstream Services LLC		
Reg. Ent. Ref. No.	RN100238716		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	51417	No. of Violations	2
Docket No.	2015-1568-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Eduardo Heras
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$7,750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **16.0%** Adjustment **Subtotals 2, 3, & 7** **\$1,240**

Notes

Enhancement for one order containing denial of liability. Reduction for two notices of intent to conduct an audit and one disclosure of violations.

Culpability

No

0.0%

Enhancement

Subtotal 4

\$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments

Subtotal 5

\$0

Economic Benefit

0.0% Enhancement*

Subtotal 6

\$0

Total EB Amounts	\$652
Estimated Cost of Compliance	\$6,500

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal

\$8,990

OTHER FACTORS AS JUSTICE MAY REQUIRE

0.0%

Adjustment

\$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

\$8,990

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$8,990

DEFERRAL

20.0%

Reduction

Adjustment

-\$1,798

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$7,192

Screening Date 15-Oct-2015

Docket No. 2015-1568-AIR-E

PCW

Respondent Targa Midstream Services LLC

Policy Revision 4 (April 2014)

Case ID No. 51417

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100238716

Media [Statute] Air

Enf. Coordinator Eduardo Heras

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 16%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one order containing denial of liability. Reduction for two notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 16%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 16%

Screening Date 15-Oct-2015

Docket No. 2015-1568-AIR-E

PCW

Respondent Targa Midstream Services LLC

Policy Revision 4 (April 2014)

Case ID No. 51417

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100238716

Media [Statute] Air

Enf. Coordinator Eduardo Heras

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O3181, Special Terms and Conditions ("STC") No. 2.F.

Violation Description Failed to submit an initial notification for a reportable emissions event within 24 hours of the discovery. Specifically, Incident No. 215791 occurred on November 17, 2014, but was not reported until June 15, 2015.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

	Major	Moderate	Minor
Release Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

	Major	Moderate	Minor
Falsification			x

Percent 1.0%

Matrix Notes

The Respondent met at least 70% of the rule requirement.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

210 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$150

Violation Final Penalty Total \$290

This violation Final Assessed Penalty (adjusted for limits) \$290

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC

Case ID No. 51417

Reg. Ent. Reference No. RN100238716

Media Air

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	18-Nov-2014	18-Nov-2016	2.00	\$150	n/a	\$150

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures to ensure the timely submittal of initial notifications for emissions events. The Date Required is the date the first initial notification was due and the Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$150

Screening Date 15-Oct-2015

Docket No. 2015-1568-AIR-E

PCW

Respondent Targa Midstream Services LLC

Policy Revision 4 (April 2014)

Case ID No. 51417

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100238716

Media [Statute] Air

Enf. Coordinator Eduardo Heras

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 03181, STC No. 12, and New Source Review Permit No. 84108, Special Conditions No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 13,736.99 pounds of volatile organic compounds from Fugitives Emission Point Number FUG-2 during an emissions event (Incident No. 215791) that began on November 17, 2014 and lasted 44 minutes. The emissions event occurred when cold weather caused a hydrate in the system resulting in an increase in operating pressure. Since the emissions event was not timely reported, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 30.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$501

Violation Final Penalty Total \$8,700

This violation Final Assessed Penalty (adjusted for limits) \$8,700

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC

Case ID No. 51417

Reg. Ent. Reference No. RN100238716

Media Air

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	17-Nov-2014	18-Nov-2016	2.01	\$501	n/a	\$501

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures to prevent the recurrence of emissions events due to the same or similar causes as incident No. 215791. The Date Required is the date the emissions event began. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/Equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$501

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PENDING Compliance History Report for CN601301559, RN100238716, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator: CN601301559, Targa Midstream Services LLC **Classification:** SATISFACTORY **Rating:** 0.29

Regulated Entity: RN100238716, CHICO GAS PLANT **Classification:** SATISFACTORY **Rating:** 1.00

Complexity Points: 11 **Repeat Violator:** NO

CH Group: 03 - Oil and Gas Extraction

Location: 383 COUNTY ROAD 1745, CHICO, TX 76431-2121, WISE COUNTY

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER WN0005E

AIR NEW SOURCE PERMITS PERMIT 6763

AIR NEW SOURCE PERMITS AFS NUM 4849700012

AIR NEW SOURCE PERMITS REGISTRATION 49511

AIR NEW SOURCE PERMITS REGISTRATION 8079

AIR NEW SOURCE PERMITS PERMIT 84108

AIR NEW SOURCE PERMITS REGISTRATION 111952

AIR NEW SOURCE PERMITS REGISTRATION 126113

INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST 36337

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXP490351283

AIR OPERATING PERMITS PERMIT 3181

AIR NEW SOURCE PERMITS ACCOUNT NUMBER WN0005E

AIR NEW SOURCE PERMITS REGISTRATION 12611

AIR NEW SOURCE PERMITS REGISTRATION 8492

AIR NEW SOURCE PERMITS REGISTRATION 15934

AIR NEW SOURCE PERMITS REGISTRATION 86795

AIR NEW SOURCE PERMITS REGISTRATION 114971

AIR EMISSIONS INVENTORY ACCOUNT NUMBER WN0005E

INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST 36405

INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST 36454

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: October 14, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 14, 2010 to October 14, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Eduardo Heras

Phone: (512) 239-2422

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	July 29, 2011	(941483)
Item 2	September 06, 2011	(948820)
Item 3	October 01, 2011	(957640)
Item 4	January 27, 2012	(981844)
Item 5	July 02, 2012	(1007262)
Item 6	November 08, 2012	(1008638)
Item 7	December 13, 2012	(1049874)
Item 8	April 15, 2013	(1076599)
Item 9	June 24, 2014	(1171533)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

Notice of Intent Date: 02/28/2011 (905549)
Disclosure Date: 07/27/2011
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(2)
Description: Failed to authorize emissions of benzene from Chico Gas Treater No. 1.

Notice of Intent Date: 06/30/2015 (1274474)
No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: **TARGA MIDSTREAM SERVICES, CHICO G**

Reg Entity Add: 383 COUNTY RD 1745

Reg Entity City: CHICO

Reg Entity No: RN100238716

EPA Case No: **06-2012-1705**

Order Issue Date (yyyymmdd): 20140220

Case Result: Final Order with Penalty

Statute: CWA

Sect of Statute: 301/402

Classification: Minor

Program: NPDES - Base Program

Citation:

Violation Type:

Cite Sect:

Cite Part:

Enforcement Action: Administrative Penalty Order With or Without Inj

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
TARGA MIDSTREAM SERVICES
LLC
RN100238716

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2015-1568-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Targa Midstream Services LLC ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates an oil and gas plant located at 383 County Road 1745 in Chico, Wise County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about September 27, 2015.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Eight Thousand Nine Hundred Ninety Dollars (\$8,990) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Thousand One Hundred

Ninety-Two Dollars (\$7,192) of the administrative penalty and One Thousand Seven Hundred Ninety-Eight Dollars (\$1,798) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to submit an initial notification for a reportable emissions event within 24 hours of the discovery, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O3181, Special Terms and Conditions ("STC") No. 2.F, as documented during an investigation conducted on July 17, 2015. Specifically, Incident No. 215791 occurred on November 17, 2014, but was not reported until June 15, 2015.
2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 3181, STC No. 12, and New Source Review Permit No. 84108, Special Conditions No. 1, as documented during an investigation conducted on July 17, 2015. Specifically, the Respondent released 13,736.99 pounds of volatile organic compounds from Fugitives, Emission Point Number FUG-2, during an emissions event (Incident No. 215791) that began on November 17, 2014 and lasted 44 minutes. The emissions event occurred when cold weather caused a hydrate in the system resulting in an increase in operating pressure. Since the emissions event was not timely reported, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Targa Midstream Services LLC, Docket No. 2015-1568-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement measures and/or procedures to ensure the timely submittal of initial notifications for reportable emissions events; and
 - ii. Implement measures and/or procedures to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 215791.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature

affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.


8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



For the Executive Director

4/29/16


Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

1/4/2016

Date

FRANCIS FORET

Name (Printed or typed)
Authorized Representative of
Targa Midstream Services LLC

SE VICE PRESIDENT OPERATIONS

Title

TH
Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.